

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

**OSR ENTERPRISES AG, OSR R&D
ISRAEL LTD.,**

Plaintiffs,

V.

REE AUTOMOTIVE LTD., REE AUTOMOTIVE HOLDING, INC., REE AUTOMOTIVE USA INC.,

Defendants.

CIVIL NO. A-22-CV-01327-ADA

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Before the Court is the Report and Recommendation of United States Magistrate Judge Susan Hightower. ECF No. 72. The report recommends Defendants' Motion to Dismiss Amended Complaint for Forum Non Conveniens, Lack of Personal Jurisdiction, and Statutes of Limitations, ECF No. 34, be **GRANTED**, and that this case be dismissed for *forum non conveniens*. The report and recommendation was filed on January 4, 2024.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A district court need not consider “[f]rivolous, conclusive, or general objections.” *Battle v. U.S. Parole Comm’n*, 834 F.2d 419, 421 (5th Cir. 1987) (quoting *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc), *overruled on other grounds by Douglass v. United States Auto. Ass’n*, 79 F.3d 1415 (5th Cir. 1996)).

Plaintiffs filed objections on February 15, 2024. ECF No. 79. Defendants filed a response to Plaintiffs' objections on March 28, 2024. ECF No. 84. Plaintiffs replied in support of their

objections on April 11, 2024. ECF No. 85. The Court has conducted a *de novo* review of the motion to dismiss, the response, the report and recommendation, the objection to the report and recommendation, the response and reply to the objections, and the applicable laws. After that thorough review, the Court is persuaded that the Magistrate Judge's findings and recommendation should be adopted.

IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Susan Hightower, ECF No. 72, is **ADOPTED**.

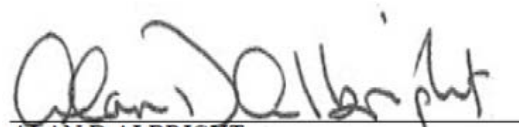
IT IS FURTHER ORDERED that Plaintiffs' Objections, ECF No. 81, are **OVER- RULED**.

IT IS FURTHER ORDERED that Defendants' Motion to Dismiss, ECF No. 34, is **GRANTED** in accordance with the Report and Recommendation.

IT IS FURTHER ORDERED that Plaintiffs' claims in the above-captioned action are **DISMISSED FOR *FORUM NON CONVENIENS***. The parties are permitted to return to this Court should the lawsuit become impossible in Israel. The Court may reassert jurisdiction if timely notified that the courts of Israel refuse to accept jurisdiction of this case for reasons other than Plaintiffs' refusal to pursue an action or to comply with the procedural requirements of Israeli courts.

IT IS FINALLY ORDERED that the Clerk of Court is respectfully directed to close the case.

SIGNED this 26th day of August, 2024.


ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE